



STEVE COOLEY  
LOS ANGELES COUNTY DISTRICT ATTORNEY

18000 CLARA SHORTRIDGE FOLTZ CRIMINAL JUSTICE CENTER  
210 WEST TEMPLE STREET LOS ANGELES, CA 90012-3210 (213) 974-3501

September 1, 2009

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

42

SEPTEMBER 1, 2009

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

Dear Supervisors:

**AUTHORIZE THE DISTRICT ATTORNEY TO SUBMIT A GRANT APPLICATION FOR  
GRANT FUNDS FROM THE CALIFORNIA EMERGENCY MANAGEMENT AGENCY  
(CalEMA) FOR THE VICTIM WITNESS ASSISTANCE PROGRAM (VWAP) –  
VIOLENCE AGAINST WOMEN ACT (VAWA) STIMULUS (RV) FOR FISCAL YEAR  
(FY) 2009-10, ALL DISTRICTS (4-VOTES)**

**SUBJECT**

This Board Letter requests authority for the District Attorney's Office to submit a grant application for one-time only stimulus funds and approve a budget adjustment in the amount of \$41,000 which increases the services and supplies appropriation in FY 2009-10. Therefore, we are requesting the Chair to sign the attached Certification of Assurance of Compliance Form as required by the grantor.

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Authorize the District Attorney (DA), on behalf of the County of Los Angeles, to submit a grant application to CalEMA for one-time only stimulus funds in the amount of \$55,029 for the period of July 1, 2009 to June 30, 2010. The grant award amount is \$41,272 with a required 25 percent match of \$13,757 which will be absorbed in salary and employee benefit savings.
2. Request the Chair of the Board to sign and affix a wet signature to the attached Certification of Assurance of Compliance form required to complete the grant application.
3. Delegate authority to the DA or his designee, upon award of grant funding by CalEMA, to accept and execute the Grant Award Agreement and serve as Project Director for the program.

This also includes authorization to approve any subsequent amendments, modifications, and/or extensions to the CalEMA grant documents that do not increase the Net County cost of the program.

4. Approve the attached budget adjustment in the amount of \$41,000 which increases the services and supplies appropriation for VWAP – VAWA, in FY 2009-10.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended action is to comply with VWAP's commitment to assist underserved victims of crime by alleviating trauma and the devastating effects of crime in the lives of victims and their families.

On May 29, 2009, CalEMA released a Request for Application (RFA) for the Victim/Witness Assistance Recovery Act – VAWA Stimulus (RV) that requires applicants to complete a Certification of Assurance of Compliance form which includes details regarding Equal Employment Opportunity Program (EEOP), Drug Free Workplace Compliance, California Environmental Quality Act, Lobbying, Debarment and Suspension requirements, and Proof of Authority from City Council/Government Board. VWAP is the major service provider for crime victims and witnesses in Los Angeles County and meets the eligibility requirements to apply for VAWA stimulus funds in FY 2009-10. To complete the grant process, applicants are required to submit the necessary assurances and documentation before the Grant Award Agreement is finalized.

Board authorization to complete the grant application process and accept grant funds is requested in order to comply with County and CalEMA requirements.

#### **Implementation of Strategic Plan Goals**

Approval of the recommended action is consistent with the Los Angeles County's Strategic Plan Goal No. 1, Operational Effectiveness, to maximize the effectiveness of the County's processes, structure and operations to support timely delivery of customer-oriented and efficient public services, and Strategic Plan Goal No. 5, Public Safety, to ensure that the committed efforts of the public safety partners continue to maintain and improve the safety and security of the people of Los Angeles County.

#### **FISCAL IMPACT/FINANCING**

The VAWA Stimulus funds for FY 2009-10 total \$55,029, which includes a required 25 percent match of \$13,757 which will be absorbed in salary and employee benefit savings. The DA's 2009-10 budget did not include funding for the additional stimulus funds which were recently announced. Therefore, a budget adjustment is attached for approval which increases the services and supplies appropriation in the amount of \$41,000.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Pursuant to Penal Code §13835.2, VWAP has been the major provider of comprehensive services to victims of crime since 1977. VWAP was established to implement a decentralized, prosecution-based victim assistance program to provide mandatory and optional victim services to combat violence against women throughout Los Angeles County.

On February 17, 2009, President Obama signed into law, the American Recovery and Reinvestment Act of 2009 (the "Recovery Act"). As one of the many elements, the Recovery Act provides the U.S. Department of Justice (DOJ) with funding for grants to assist state, local law enforcement, etc., to combat violence against women, to fight internet crimes against children, to improve the functioning of the criminal justice system and to assist victims of crime. Funding under the Recovery Act will be one-time awards available to all Victim Witness Assistance Programs and grant recipients of VAWA funding. Accordingly, funds will be proposed for project activities and deliverables that can be accomplished without additional funding.

To combat violence against women and respond to the emotional and physical needs of crime victims, VWAP proposes to use the stimulus funds to enhance victim services to VAWA victims through outreach efforts and to raise public awareness of comprehensive services available. Funds will be allocated for printing and translation services of existing program pamphlets in multiple languages (Armenian, Korean, Cantonese, and Filipino-Tagalog). In addition, new victim literature will also be produced and translated for distribution to address domestic violence to explain criminal justice intervention, protective measures and victim services. Another new pamphlet will summarize the criminal justice process, particularly victim impact statements and Parole Notification of Release. Funds will also be used for specialized trainings for the victim services representatives, courthouse cafeteria food vouchers, and bus tokens. VWAP will also host the 2<sup>nd</sup> Annual Victims' Rights Symposium and funds will be used to provide training to service providers, law enforcement, prosecutors, social workers, probation, judges, medical personnel and other disciplines regarding victim concerns, rights, and available resources.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

This program does not propose attorney staff augmentation. Therefore, the DA's Office is not subject to the Board Motion of December 15, 1998, requiring clearance with the Alternate Public Defender, Probation, Public Defender, and Sheriff's Departments.

Honorable Board of Supervisors  
Page Four  
September 1, 2009

**CONCLUSION**

Following Board approval, the Executive Officer-Clerk of the Board is requested to return two copies of the adopted Board letter and two CalEMA Certification of Assurance of Compliance Forms, with a wet signature, to Ms. Patricia Orozco, Grants Unit, District Attorney's Office, 201 N. Figueroa Street, Suite 1300, Los Angeles, California 90012. Any questions may be directed to Ms. Orozco at (213) 202-7651.

Respectfully submitted,

  
STEVE COOLEY  
District Attorney

pao

Attachments

c: Chief Executive Officer  
Acting County Counsel  
Executive Officer, Board of Supervisors

**CERTIFICATION OF ASSURANCE OF COMPLIANCE**  
**With Statutory Requirements of the Violence Against Women Act (VAWA) As Amended,**  
**Services\*Training\*Officers\*Prosecutors (STOP) Formula Grant Program**

I, STEVE COOLEY hereby certify that  
(official authorized to sign grant award; same person as Section 12 on Grant Award Face Sheet)

RECIPIENT: LOS ANGELES COUNTY

IMPLEMENTING AGENCY: DISTRICT ATTORNEY'S OFFICE

PROJECT TITLE: VICTIM WITNESS ASSISTANCE RECOVERY ACT - VAWA STIMULUS (RV) PROG.

is responsible for reviewing the *Grant Recipient Handbook* and adhering to all of the Grant Award Agreement requirements (state and/or federal) as directed by CalEMA including, but not limited to, the following areas:

**I. *Equal Employment Opportunity – (Recipient Handbook Section 2151)***

It is the public policy of the State of California to promote equal employment opportunity by prohibiting discrimination or harassment in employment because of race, religious creed, color, national origin, ancestry, disability (mental and physical) including HIV and AIDS, medical condition (cancer and genetic characteristics), marital status, sex, sexual orientation, denial of family medical care leave, denial of pregnancy disability leave, or age (over 40). **CalEMA-funded projects certify that they will comply with all state and federal requirements regarding equal employment opportunity, nondiscrimination and civil rights.**

Please provide the following information:

Equal Employment Opportunity Officer: JULIE DIXON SILVA

Title: CHIEF, EMPLOYEE RELATIONS DIVISION

Address: 201 N. FIGUEROA STREET, SUITE 1455, LOS ANGELES, CA 90012

Phone: (213) 202-7705

Email: jdsilva@da.lacounty.gov

**II. *Drug-Free Workplace Act of 1990 – (Recipient Handbook, Section 2152)***

The State of California requires that every person or organization awarded a grant or contract shall certify it will provide a drug-free workplace.

**III. *California Environmental Quality Act (CEQA) – (Recipient Handbook, Section 2153)***

The California Environmental Quality Act (CEQA) (*Public Resources Code, Section 21000 et seq.*) requires all CalEMA funded projects to certify compliance with CEQA. Projects receiving funding must coordinate with their city or county planning agency to ensure that the project is compliance with CEQA requirements.

**IV. Lobbying – (*Recipient Handbook Section 2154*)**

CalEMA grant funds, grant property, or grant funded positions shall not be used for any lobbying activities, including, but not limited to, being paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement.

**V. Debarment and Suspension – (*Recipient Handbook Section 2155*)**

*(This applies to federally funded grants only.)*

CalEMA-funded projects must certify that it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department of agency.

**VI. Proof of Authority from City Council/Governing Board**

The above-named organization (applicant) accepts responsibility for and will comply with the requirement to obtain written authorization from the city council/governing board in support of this program. The applicant agrees to provide all matching funds required for said project (including any amendment thereof) under the Program and the funding terms and conditions of CalEMA, and that any cash match will be appropriated as required. It is agreed that any liability arising out of the performance of this Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and CalEMA disclaim responsibility of any such liability. Furthermore, it is also agreed that grant funds received from CalEMA shall not be used to supplant expenditures controlled by the city council/governing board.

The applicant is required to obtain written authorization from the city council/governing board that the official executing this agreement is, in fact, authorized to do so. The applicant is also required to maintain said written authorization on file and readily available upon demand.

**V. Filing Costs for Criminal Charges and Protection**

Its laws, policies, and practices do not require, in connection with the prosecution of any misdemeanor or felony domestic violence offense, or in connection with the filing, issuance, registration, or service of a protection order, or a petition for a protection order, to protect a victim of domestic violence, stalking, or sexual assault, that the victim bear the costs associated with the filing of criminal charges against the offender, or the costs associated with the filing, issuance, registration, or service of a warrant, protection order, petition for a protection order, or witness subpoena, whether issued inside or outside the state, tribal, or local jurisdiction.

**VI. Forensic Medical Examination Payment Requirement for Victims of Sexual Assault**

The state or territory, Indian tribal government, unit of local government, or another governmental entity incurs the full out-of-pocket cost of forensic medical exams for victims of sexual assault.

The state or territory, Indian tribal government, unit of local government, or another governmental entity does not require a victim of sexual assault to participate in the criminal justice system or cooperate with

law enforcement in order to be provided with a forensic medical exam, or to be reimbursed for charges incurred on account of such an exam.

**VII. Judicial Notification**

The state's judicial administrative policies and practices include notification to domestic violence offenders of the requirements delineated in section 922(g)(8) and (g)(9) of title 18, United States Code, and any applicable related Federal, State, or local laws.

**VIII. Polygraph Testing Prohibition**

The state or local unit of government's laws, policies, or practices ensure that no law enforcement officer, prosecuting officer or other government official shall ask or require an adult, youth, or child victim of an alleged sex offense as defined under Federal, tribal, state, territorial, or local law to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of such an offense.

- Under 42 U.S.C. 3796gg-8(b), the refusal of a victim to submit to a polygraph or other truth telling examination shall not prevent the investigation, charging, or prosecution of an alleged sex offense by a state, Indian tribal government, territorial government, or unit of local government.

**IX. Nondisclosure of confidential or private information regarding services for victims**

Recipients and subrecipients may not disclose personally identifying information about victims served with Violence Against Women funds without a written release, unless the disclosure of the information is required by a statute or court order. "Personally identifying information" means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking. Releases must be written, informed and reasonably time-limited and signed by the victim unless the victim is an un-emancipated minor or a person with disabilities.

**X. Consultation and Documentation with local victim services programs**

*(Applies only to law enforcement, prosecution and the courts)*

Tribal, territorial, State, or local prosecution, law enforcement, and courts must consult with tribal, territorial, State or local victim service programs during the course of developing their grant applications. This will ensure that proposed activities and equipment acquisitions are designed to promote the safety, confidentiality, and economic independence of victims of domestic violence, sexual assault, stalking and dating violence.

All appropriate documentation must be maintained on file by the project and available for CalEMA or public scrutiny upon request. Failure to comply with these requirements may result in suspension of payments under the grant or termination of the grant or both and the Recipient may be ineligible for award of any future grants if the CalEMA determines that any of the following has occurred: (1) the Recipient has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

### CERTIFICATION

I, the official named below, am the same individual authorized to sign the Grant Award Agreement [Section 12 on Grant Award Face Sheet], and hereby swear that I am duly authorized legally to bind the contractor or grant recipient to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California.

Authorized Official's Signature: S. L. Cooley

Authorized Official's Typed Name: STEVE COOLEY

Authorized Official's Title: DISTRICT ATTORNEY

Date Executed: 8/19/09

Federal Employer ID #: 95-6000927 Federal DUNS # 781310990

Current Central Contractor Registration Yes ☒ No ☐

Executed in the City/County of: LOS ANGELES

### AUTHORIZED BY: (not applicable to State agencies)

- ☐ City Financial Officer  
☐ City Manager  
☒ Governing Board Chair

- ☐ County Financial Officer  
☐ County Manager

Signature: Don Knabe

Typed Name: DON KNABE

Title: CHAIR, BOARD OF SUPERVISORS

SEP 01 2009



APPROVED AS TO FORM:

BY: [Signature]



DEPT'S.  
NO. 370  
August 24, 2009

**COUNTY OF LOS ANGELES**  
**REQUEST FOR APPROPRIATION ADJUSTMENT**  
**DEPARTMENT OF DISTRICT ATTORNEY'S OFFICE**

AUDITOR CONTROLLER:

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. WILL YOU PLEASE REPORT AS TO ACCOUNTING AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF EXECUTIVE OFFICER FOR THE RECOMMENDATION OR ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFOR

**FISCAL YEAR 2009-2010**

**4-VOTES**

SOURCES

District Attorney  
A01 - DA - 90 - 9009 - 14030  
American Recovery & Reinvestment  
Act Federal Stimulus \$41,000  
Increase Revenue

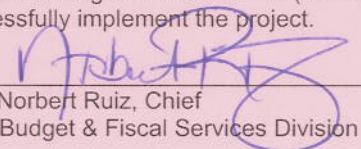
USES

District Attorney  
A01 - DA - 2000 - 14030  
Service and Supplies \$41,000  
Increase Appropriation

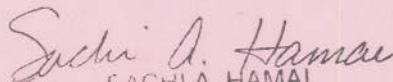
JUSTIFICATION

This Budget Adjustment allocates the unbudgeted revenue from the State of California Emergency Management Agency (CalEMA) for the Victim Witness Assistance Program Violence Against Women Act (VAWA) stimulus project. The additional appropriation will provide sufficient funds to successfully implement the project.

**ADOPTED**  
BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

  
Norbert Ruiz, Chief  
Budget & Fiscal Services Division

**#42** SEP 01 2009  
CHIEF EXECUTIVE OFFICER'S REPORT

  
SACHIN A. HAMAI  
EXECUTIVE OFFICER

REFERRED TO THE CHIEF  
EXECUTIVE OFFICER FOR

ACTION

✓ RECOMMENDATION

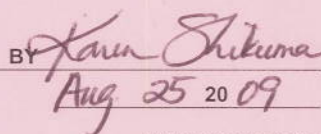
APPROVED AS REQUESTED ✓ AS REVISED

August 25 2009

  
CHIEF EXECUTIVE OFFICER

AUDITOR CONTROLLER

NO. 013

BY   
Aug 25 20 09

APPROVED (AS REVISED)  
BOARD OF SUPERVISOR'S

BY  
DEPUTY COUNTY CLERK

SEND 5 COPIES TO THE AUDITOR-CONTROLLER